

## NOTICE OF AGENCY RULE-MAKING ADOPTION

**AGENCY:** Department of Marine Resources

**CHAPTER NUMBER AND TITLE:** Chapter 11.10)(1)(F) Atlantic Sea Scallops, Shellstock Ratio to Meat Conversion, Possession Limit, Daily Limit ~~Daily Possession Limit~~ and 11.22 2012-13 Closures (10) Inner Blue Hill Harbor. Emergency regulations

**ADOPTED RULE NUMBER:**

**CONCISE SUMMARY:**

The Commissioner adopts this emergency rulemaking for the implementation of a conservation closure located in the Inner Blue Hill Harbor Area in order to protect Maine's scallop resource due to the risk of unusual damage and imminent depletion. Scallop populations throughout the state are at extremely low levels. The Department is concerned that unrestricted harvesting during the remainder of the 2012/2013 fishing season in this area may deplete a severely diminished resource beyond its ability to recover. Continued harvesting may damage sublegal scallops that could be caught during subsequent fishing seasons, as well as reducing the broodstock essential to a recovery. A significant immediate conservation closure is necessary to reduce the risk of unusual damage and imminent depletion. In addition, a clarification on the regulation pertaining to daily possession limits is required to ensure that the shellstock to meat conversion is applied to the entire state, not just Cobscook Bay as it currently exists, and the prevention of scallop transfers from one vessel to another at sea as this will assist enforcement in ensuring that the resource is not overharvested and depleted, particularly from the Limited Access Areas. For these reasons, the Commissioner hereby adopts an emergency closure of Maine's scallop fishery in the Inner Blue Hill Harbor Area, the shellstock to meat conversion for the entire fishery and the prevention of scallop transfers from one vessel to another at sea as authorized by 12 M.R.S.A. §6171(3).

**EFFECTIVE DATE:** December 8, 2012

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## DEPARTMENT OF MARINE RESOURCES

### Chapter 11 Scallops

#### 11.10 Atlantic Sea Scallops Limitations

##### 1. Size, Harvesting and Conservation Zone Regulations

###### A. Swans Island Lobster Conservation Area Scallop Drag Size Restrictions

It shall be unlawful to possess on any vessel fishing for scallops or fish for or take scallops within the Swans Island Lobster Conservation Area (DMR Regulation, Ch. 25.90, (A) (1)) with any scallop drag or combination of scallop drags (chain sweep or rock drags) having an aggregate width in excess of eight feet, six inches.

###### B. Atlantic Sea Scallops, Minimum Size

In Maine Territorial Waters, it shall be unlawful to possess Atlantic sea scallops whose shells are less than 4 inches in the longest diameter, effective on December 1, 2004 and thereafter in accordance with 12 M.R.S. § 6721(1)(A) & (B).

###### C. Atlantic Sea Scallops, Drag Size Restrictions

- (1) From December 1 through April 15, both days inclusive, it shall be unlawful to possess on any vessel fishing for scallops or fish for or take scallops with any one combination of scallop drags having an aggregate in excess of 10 feet 6 inches in width (by measuring from the extreme outside edge of the mouth of the drag or drags), within Maine's territorial waters.

###### D. Atlantic Sea Scallops, Night Harvesting Prohibition

Effective November 1, 1986, it shall be unlawful to fish for or take scallops during the nighttime hours between sunset (as defined in 12 M.R.S. § 6001(46)) and sunrise (as defined in 12 M.R.S. § 6001(45)) within Maine's territorial waters.

###### E. Atlantic Sea Scallops, Culling Required

Scallops less than the minimum legal size must be immediately liberated. It is prima facie evidence of possession of illegal scallops if a vessel contains scallops smaller than the minimum size while a scallop license holder or crewmember is shucking scallops.

###### F. Atlantic Sea Scallops, Shellstock Ratio to Meat Conversion, Possession Limit, Daily Limit ~~Daily Possession Limit~~

~~It is unlawful to fish for, take or possess more than 20 gallons of scallop meats per day per vessel in Maine's territorial waters. It is unlawful to unload any portion of a day's catch and return to fishing in Maine's territorial waters.~~

###### (1) Shellstock Ratio to Meat Conversion.

For the purposes of this regulation, one and a half bushels of shellstock shall be equal to one gallon of scallop meat.

###### (2) Possession Limit.

It is unlawful to fish for, take or possess more than 20 gallons of scallop meat or any aggregate of meat and shellstock, which is greater than the equivalent of 20 gallons of meat per day per vessel.

###### (3) Daily Limit.

(a) It is unlawful to unload any portion of a day's catch and return to fishing in Maine's territorial waters.

(b) It is unlawful to transfer to or receive from another vessel any scallop shellstock or scallop meats

#### G. Atlantic Sea Scallops Harvested Seaward of Maine's Territorial Waters

A vessel may possess or land more than 20 gallons of scallop meats per day within Maine's territorial waters only if it meets each of the following requirements:

- (1) The scallop meats were harvested seaward of Maine's territorial waters.
- (2) The vessel holds a valid current Federal Permit (Title 50(A) §648.4) that authorizes possession of more than 20 gallons of scallop meats per day.
- (3) The amount of scallop meats on board does not exceed the maximum amount authorized by the vessel's Federal Permit.
- (4) The vessel has all fishing gear (dredges, drags) securely stowed when transiting Maine's territorial waters. Securely stowed shall mean the main wire shall not be shackled or connected to the dredges or drags, and the towing swivel will be at block or on the winch.

#### H. Limited Access Areas

It shall be unlawful to fish for, take, or possess scallops taken by any method within any of the following Limited Access Areas except by divers on December 3, 10, 17 and 26, 2012; January 7, 8, 14, 15, 21, 22, 28 and 29, 2013; February 4, 5, 11, 12, 18, 19, 25, and 26, 2013; and March 3, 4, 10, 11, 17 and 18, 2013 except for the Whiting Bay and Denny's Bay Area and the St. Croix River Area (Zone 3) which are closed January 22, 28 and 29, 2013 and February 4, 5, 11, 12, 18, 19, 25 and 26, 2013. All directions are relative to True north (not magnetic).

It shall be unlawful to fish for, take, or possess scallops taken by any method within any of the following Limited Access Areas except by draggers on December 4, 11, 18 and 27, 2012; January 9, 10, 16, 17, 23, 24, 30 and 31, 2013; February 6, 7, 13, 14, 20, 21, 27 and 28, 2013; and March 5, 6, 12, 13, 19 and 20, 2013 except for the Whiting Bay and Denny's Bay Area and the St. Croix River Area (Zone 3) which are closed January 24, 30 and 31, 2013 and February 6, 7, 13, 14, 20, 21, 27 and 28, 2013. All directions are relative to True north (not magnetic).

##### Transiting exception:

Any vessel possessing scallops onboard, may transit these closed areas, only if the vessel has all fishing gear (dredges, drags) securely stowed. Securely stowed shall mean the main wire shall not be shackled or connected to the dredges or drags, and the towing swivel will be at block or on the winch.

The Commissioner may close harvesting for the remainder of the season in the Limited Access Areas listed below through emergency rulemaking if the Department has information that indicates there is a likelihood that between 30 percent and 40 percent of the harvestable biomass has been removed.

##### (1) Casco Bay Area:

South of a line drawn from the most southwestern point of Basin Point (Harpwell) to the northeastern tip of Jewell Island, and south and east of a line drawn from the southern tip of Jewell Island due south to the 3-mile limit, as identified on National Oceanographic and Atmospheric Administration nautical charts and west of a line drawn from Gun Point (Harpwell) due south to the 3-mile limit. Also, the waters between and to the north of Basin Point and Gun Point bounded by the Route 24 Gurnet Bridge (Harpwell).

##### (2) Damariscotta/Sheepscot Area:

South of a line drawn from the most northeastern point of Dogfish Head to the most northeastern point of Macmahan Island, and south of a line drawn from the most northwestern point of Macmahan Island to the most northeastern tip of Soldier Point and south and east of the Southport Island Bridge. Then north and east of a line drawn from the most southwestern point of Indian Point to the most northeastern point of Salter Island, and east of a line drawn from the most southwestern tip of Salter Island to the most northwestern point of Sequin Island. Then north of a line drawn from the most southern point of Sequin Island to Bantam Rock, north and west of a line continuing to the

most southern point of Pumpkin Island, continuing to the Outer Heron Island Ledge Buoy, continuing to the most southeastern point of Thrumcap Island, following the shoreline to the most southwestern point of Thrumcap Island, and west of a line drawn from this point to the most southern tip of Shipley Point, following the western shoreline of Rutherford Island. Also, west of the South Bristol Bridge, and south of a line drawn from the most southern tip of Jones Point to the most northeastern tip of Montgomery Point.

(3) Muscongus/Western Penobscot Area:

Western Line:

North and east of a line beginning at the intersection of Latitude 43° 55' N on Pemaquid Neck (just north of Brown's Cove, Bristol), and following this latitude to its intersection on the east shore of Mosquito Island, St. George, then southeast to the southern tip of Metinic Green Island, then due south to the 3-mile limit.

Eastern Line: South of a line starting at the northern end of the Rackliff Island causeway then following the shore to the most southern point of Rackliff Island continuing to the most southern point of Norton Island and then continuing to the most southern point of Whitehead Island then to the southern end of Two Bush Island and continuing in a southeast direction to the Foster's Ledges Buoy R N"10", then due South to the 3-mile limit.

(4) Eastern Penobscot Area:

Eastern Penobscot Area:

The Eggemoggin Reach southeast of the Deer Isle Bridge and north of a line starting at the southern most tip of Naskeag Point, Brooklin, then southwest to the most southeastern point of Stinson Neck, Deer Isle AND north of a line starting at the most southwestern tip of Stinson Neck, Deer Isle running west to Coles Point on Whitmore Neck, Deer Isle; this includes all of Southeast Harbor.

Lower Jerico Bay:

South of a line starting at Lower Head, Marshall Island then running southwest to the northern end of Little Spoon Island and from the south end of Little Spoon Island due south to the 3-mile limit AND west of a line starting at the eastern most part of Devils Head, Marshall Island continuing southeast to the most eastern point of Heron Island then onto the RW "BC" whistle buoy, then due south to the 3-mile limit.

This section Chapter 11.10(1)(H)(4) sunsets May 1, 2013.

(5) Blue Hill Salt Pond/Blue Hill Harbor/Morgans Bay Area:

All waters of the Blue Hill Salt Pond; as well as waters North of a line drawn from Stills Point, Blue Hill Neck to the most northern point of Long Island, and then continuing to the most southwestern point of Newbury Neck.

This section Chapter 11.10(1)(H)(5) sunsets May 1, 2013.

(6) Mt. Desert Area:

All of Somes Sound and east of a line starting at Bass Harbor Head then in a southeast direction to the most easterly Point of Great Gott Island continuing on south to the three mile line and west of a line starting at the most eastern side of Otter Pt. MDI continuing True South to the 3-mile limit.

This section Chapter 11.10(1)(H)(6) sunsets May 1, 2013.

(7) Gouldsboro Bay Area:

Inside and north of a line starting a Young's Point, Corea east to the end of Dyer Pt. in Steuben.

This section Chapter 11.10(1)(H)(7) sunsets May 1, 2013.

(8) Jonesport/Machias Area:

- (a) The Reach: East and north of a line starting at the most eastern end of Tibbett Island going due north to the closest point of land on Moose Neck and then east to the most northern end of Ram Island at Latitude 44° 29'41.56" N Longitude 67°37'53.31" W then on to the most western end of Slate Island and then from the eastern most tip of Slate Island to the nearest point of land along the southern shore of Slate Island Cove on Great Wass Island and west of a line starting at the western end of the breakwater Sawyer's Cove the southeast to the most western end of Pig Island and then due south to the closes point of land of Great Wass Island.
- (b) Chandler Bay/Englishman's Bay: North of the Roque Island Cable Area running between Jonesport and Roque Island and north of a line starting at the most northeastern point of Great Head, Roque, Island; then northeast to the most southern end of Shoppee Point, Roque Bluffs.
- (c) Machias Area: North and east of a line starting at Bucks Head, Machiasport proceeding east to the southern end of Northwest Head on Cross Island then due south to the 3-mile line, and west of a line drawn due south from Great Head, Cutler to the 3-mile limit.

This section Chapter 11.10(1)(H)(8) sunsets May 1, 2013.

(9) St. Croix River Area:

North and east of a line drawn from the Gleason Point, Perry east to the US-Canada border.

This section Chapter 11.10(1)(H)(9) sunsets May 1, 2013.

(10) Whiting Bay and Denny's Bay Area:

It shall be unlawful to fish for or take scallops and or urchins west of a line starting at the western end of Mahar Point, Pembroke, due south to the nearest point of land on Crow Neck, Trescott, to include all of Whiting Bay and Denny's Bay.

11.22 2012-13 Closures

It shall be unlawful to fish for, take, or possess scallops taken by any method within any of the following closed areas, except for Mussel Ridge (6) which shall be open during the month of December in accordance with the dates specified in section 11.09. All directions are relative to True North (not magnetic).

Transiting exception:

Any vessel possessing scallops onboard, may transit these closed areas, only if the vessel has all fishing gear (dredges, drags) securely stowed. Securely stowed shall mean the main wire shall not be shackled or connected to the dredges or drags, and the towing swivel will be at block or on the winch.

(1) Upper Chandler Bay

Northern boundary: South of a line starting at the Roque Island Cable Area between Jonesport and Roque Island.

Southern boundary: North of a line starting at the most southeastern tip of Sandy River Beach to the most southern tip of Bar Island, continuing to the most southern tip of Ballast Island; then continuing to the most southern tip of Bonney Point, Roque Island.

(2) Mud Hole Channel

Northern boundary: South of a line drawn from the most eastern tip of Mud Hole Point, Great Wass Island to the most western tip of Crow Point, Head Harbor Island.

Southern boundary: North of a line from the most eastern tip of Little Pond Head, Great Wass Island to the most southern tip of Freeman Rock, then continuing on to the most southern tip of Mistake Island, continuing from the most eastern tip of Mistake Island to the most southern tip of Steele Harbor Island; then from the northern end of Great Herring Cove, Steele Harbor Island to the most southern tip of Man Island.

(3) Moosabec Reach

Eastern boundary: West of a line drawn from the most eastern tip of Perio Point, Beals to OW Look's wharf, Jonesport.

Western boundary: East of a line drawn from the most western tip of Macks Point, located north of Mill Pond cove, Beals to the end of the dock on Lobster Lane, Jonesport.

(4) Inner Harbor/Deep Hole

West of a line drawn from the most western point of Whitmore Neck, Deer Isle due True North to the South shore of Mountainville, Deer Isle at Latitude 44 12.407 N Longitude 068 38.819 W.

(5) Blue Hill Salt Pond

All waters of the Blue Hill Salt Pond.

(6) Mussel Ridge

Eastern boundary: West and South of a line drawn from the most eastern tip of Ash Point, South Thomaston at Latitude 44 02.805 N Longitude 069 04.393 W to RW "PA" Mo (A) GONG at; then continuing southwest to the northern tip of Two Bush Island.

Western boundary: North of a line starting at the northern end of the Rackliff Island causeway then following the shore to the most southern point of Rackliff Island continuing to the most southern point of Norton Island and then continuing to the most southern point of Whitehead Island then to the southern end of Two Bush Island.

(7) Ocean Point

West of a line drawn from Emerson Point, at the southern most tip of Ocean Point, Boothbay at Latitude 43 48.852 N Longitude 069 35.454 W, to the most northern tip of Fisherman Island, then continuing to R N "8" AND East of a line draw from R N "8" to the most southwestern tip of Ocean Point at Latitude 43 48.874 N and Longitude 069 36.332 W.

(8) Eastern Casco Bay

Eastern boundary: West and North of a line drawn from the most southern tip of Gun Point, Harpswell, to G "3", South of Round Rock; continuing in a southwesterly direction to R N "4" at Drunkers Ledges.

Western boundary: East and North of a line draw from R N "4" at Drunkers Ledges to the most southern tip of Jaquish Island; then east of a line from the most northwestern tip of Jaquish Island at Latitude 43 42.950N Longitude 70 00.137W to the most southeastern tip of land along Jaquish Gut at Latitude 43 43.043N Longitude 70 00.128W.

(9) Hussey Sound

Northern boundary: South of a line draw from the most northern tip of Diamond Cove, Great Diamond Island at Latitude 43 41.047 N Longitude 070 11.311 W, East to the most western top of Long Island at Latitude 43 41.011 N Longitude 070 10.369 W.

Eastern boundary: West of a line drawn from the most southern tip of Jerry Point, Long Island to the most northeastern tip of Peaks Island at Latitude 43 39.801 N 70 10.622 W.

Southern Boundary: North of a line draw from the most northwestern tip of Peaks Island at Latitude 43 40.403 N 070 11.237 W to the eastern shore of Great Diamond Island Latitude 43 40.547 N Longitude 070 11.528 W.

(10) Inner Blue Hill Harbor

West of a line drawn from the most western point of Sculpin Point, Blue Hill to the closest point of land on Parker Point, Blue Hill Neck.

This regulation, Chapter 11.22, expires March 31, 2013.

# **Basis Statement**

## **Chapter 11.10(1)(F) Atlantic Sea Scallops, Shellstock Ratio to Meat Conversion, Possession Limit, Daily Limit ~~Daily Possession Limit~~ and 11.22 2012-13 Closures (10) Inner Blue Hill Harbor. Emergency regulations**

### Justification:

Maine scallop landings have declined precipitously from a peak of nearly 4 million pounds in 1980-1981 to less than a half million pounds each year since 2001 (Figure 1). In 2009, due to the fact that scallop populations throughout the state were at extremely low levels, the Department enacted a series of Closed Areas to allow for the resource to rebuild. These Closed Areas, now called Limited Access Areas, re-opened on December 3<sup>rd</sup> to divers and rakers and December 4<sup>th</sup> to draggers. Due to a large bed of scallops located outside of the Blue Hill Bay Limited Access Area, a large component of the mobile scallop fleet (60 vessels) moved into the region, fishing the mouth of the Union River during the regular open days of the scallop season. Based on marine patrol observations, sea sampling and industry reports, these vessels targeted the Blue Hill Bay Limited Access area upon its re-opening on December 3<sup>rd</sup>, with approximately 30 vessel fishing in the inner confines of Blue Hill Harbor. This area was heavily fished by these vessels, resulting in its immediate depletion, with many vessels having to move out of the harbor to either the remaining portion of the Blue Hill Bay Limited Access Area or even out of the Limited Access Area entirely to the adjacent open areas to meet their daily limit of 20 gallons of meats. Therefore, the Department is concerned that continued harvesting during the remainder of the 2012/2013 fishing season may damage sublegal scallops that could be caught during subsequent fishing seasons, as well as reduce any remaining broodstock that is essential to a recovery, within the inner confines of Blue Hill Harbor. An immediate conservation closure is necessary to reduce the risk of unusual damage and imminent depletion of the Inner Blue Hill Harbor Area.

In addition, a clarification of the regulation pertaining to daily possession limits is required to ensure that the shellstock to meat conversion is applied to the entire state, not just Cobscook Bay as it currently exists, as well as to prevent the transfer of scallops from one vessel to another at sea. This will assist in enforcement to ensure that the resource is not overharvested and depleted, particularly from the Limited Access Areas.

For these reasons, the Commissioner hereby adopts an emergency closure of Maine's scallop fishery in the Inner Blue Hill Harbor Area, the shellstock to meat conversion for the entire fishery, and prevention of scallop transfers from one vessel to another at sea as authorized by 12 M.R.S.A. §6171(3).

In accordance with 5 M.R.S.A. §8052, sub-§5-A a statement of the impact on small business has been prepared. Information is available upon request from the DMR Commissioner's office, State House station #21, Augusta, Maine 04333-0021, telephone (207) 624-6553.

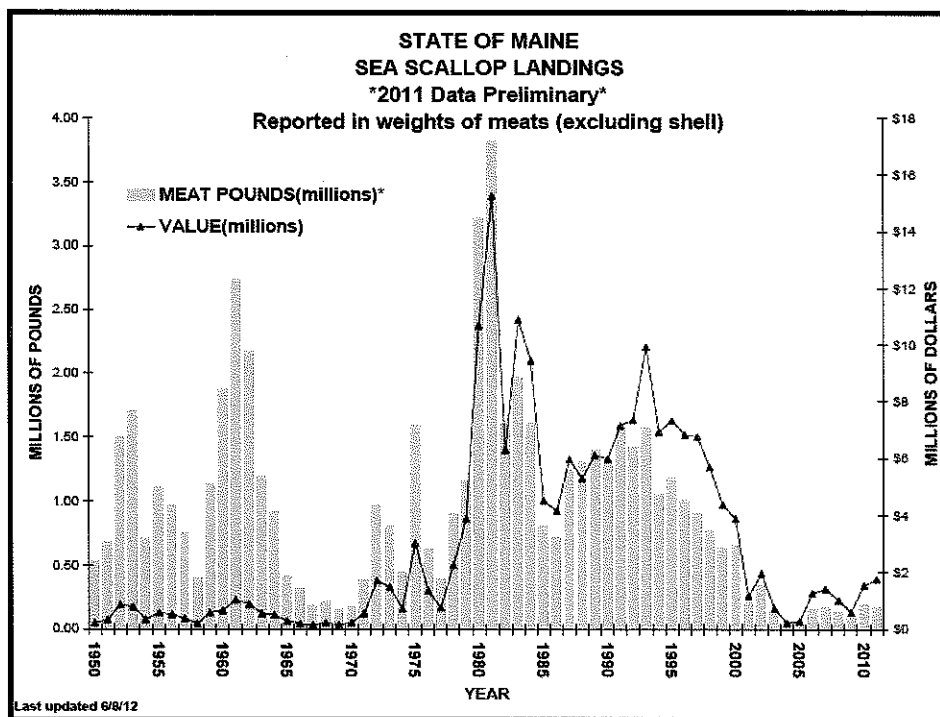


Figure 1. Maine scallop landings from 1950 to 2011.



# Rule-Making Fact Sheet

(5 M.R.S., §8057-A)

AGENCY: Department of Marine Resources

**NAME, ADDRESS, PHONE NUMBER OF AGENCY CONTACT PERSON:**

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**CHAPTER NUMBER AND RULE:** Chapter 11.10(1)(F) Atlantic Sea Scallops, Shellstock Ratio to Meat Conversion, Possession Limit, Daily Limit ~~Daily Possession Limit~~ and 11.22 2012-13 Closures (10) Inner Blue Hill Harbor, Emergency regulations

**STATUTORY AUTHORITY:** 12 M.R.S.A. §6171(3)

**DATE AND PLACE OF PUBLIC HEARING:** None, Emergency rulemaking

**COMMENT DEADLINE:** None, Emergency rulemaking

**PRINCIPAL REASON OR PURPOSE FOR PROPOSING THIS RULE:**

The Commissioner adopts this emergency rulemaking for the implementation of a conservation closure located in the Inner Blue Hill Harbor Area in order to protect Maine's scallop resource due to the risk of unusual damage and imminent depletion. Scallop populations throughout the state are at extremely low levels. The Department is concerned that unrestricted harvesting during the remainder of the 2012/2013 fishing season in this area may deplete a severely diminished resource beyond its ability to recover. Continued harvesting may damage sublegal scallops that could be caught during subsequent fishing seasons, as well as reducing the broodstock essential to a recovery. A significant immediate conservation closure is necessary to reduce the risk of unusual damage and imminent depletion. In addition, a clarification on the regulation pertaining to daily possession limit is required to ensure that the shellstock to meat conversion is applied to the entire state, not just Cobscook Bay as it currently exists, and the prevention of scallop transfers from one vessel to another at sea, as this will assist enforcement in ensuring that the resource is not overharvested and depleted, particularly from the Limited Access Areas. For these reasons, the Commissioner hereby adopts an emergency closure of Maine's scallop fishery in the Inner Blue Hill Harbor Area, the shellstock to meat conversion for the entire fishery, and prevention of scallop transfers from one vessel to another at sea as authorized by 12 M.R.S.A. §6171(3).

**ANALYSIS AND EXPECTED OPERATION OF THE RULE:**

The adopted rules seek to conserve the scallop resource for utilization in the future. The rule is intended to have a long-term positive impact on the scallop resource to benefit future harvesters and the wholesale and retail seafood industry.

**FISCAL IMPACT OF THE RULE:**

Enforcement of this amendment would not require additional activity in this agency. Existing enforcement personnel will monitor compliance during their routine patrols.

*Note: If necessary, additional pages may be used.*

*(File online with the Executive Director of Legislative Council, SHS 115 Rm 103, within 1-2 days after filing with SOS.)*

Rulemaking statement of impact on small business  
5 MRS §8052, sub-§5-A and §8053, sub-§3, ¶F, and  
Executive Order 20 FY 11/12, August 24, 2011 (replaces EO's 09, 13 & 14)

Agency: Department of Marine Resources

Chapter Number and Title of Rule: Chapter 11.10(1)(F) Atlantic Sea Scallops, Shellstock Ratio to Meat Conversion, Possession Limit, Daily Limit ~~Daily Possession Limit~~ and 11.22 2012-13 Closures (10) Inner Blue Hill Harbor Emergency regulations

1. An identification of the types and an estimate of the number of the small businesses subject to the proposed rule; and EO20 1.A. The impact of the proposed rule on job growth or creation:

Approximately 580 individuals are eligible to apply for a 2013 Maine commercial scallop dragger harvesting license and 55 individuals are eligible for the commercial scallop diver license. 45 individuals held a scallop with tender license in 2011. It is anticipated that the majority of these individuals will obtain the license in the 2013 season. Non-commercial licenses are not limited. In 2012, 91 non-commercial scallop licenses were issued. The 2013 number will likely be similar.

2. The projected reporting, record-keeping and other administrative costs required for compliance with the proposed rule, including the type of professional skills necessary for preparation of the report or record; and EO20 1.C. The cost to the public in terms of time and money required to comply with the rule and EO20 1.B. The burden imposed by any fees included in the rule:

There are no additional reporting, record-keeping, fees or other administrative duties associated with this emergency scallop conservation area closures rule.

3. A brief statement of the probable impact on affected small businesses; and EO20 1.D. The extent to which other laws and regulations already address the subject matter of the rule:

The adopted rules seek to conserve the scallop resource for utilization in the future. The rule is intended to have a long-term positive impact on the scallop resource to benefit future harvesters and the wholesale and retail seafood industry.

4. A description of any less intrusive or less costly, reasonable alternative methods of achieving the purposes of the proposed rule; and EO20 1.E. The relevant Federal standards, if any and the specific need for Maine's rules to differ from them if such a need exists:

The rule is intended to have a long-term positive impact on the scallop resource to benefit future harvesters and the wholesale and retail seafood industry by increasing the likelihood of a speedy recovery of Maine's scallop resource. In the short-term, harvesters and the businesses that purchase scallops have already seen a decrease in landings and therefore these measures are considered necessary. There are no federal regulations that apply in this case.

5. Indicate where a copy of the statement of impact on small business pursuant to section 8052, subsection 5-A may be obtained: Information is available upon request from the DMR Commissioner's Office, State House Station #21, Augusta, Maine 04333-0021, telephone (207) 624-6553.